

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

Thursday, 5th April, 2018

Present: Cllr R D Lancaster (Chairman), Cllr V M C Branson (Vice-Chairman), Cllr Mrs J A Anderson, Cllr O C Baldock, Cllr Mrs P A Bates, Cllr P F Bolt, Cllr J L Botten, Cllr D J Cure, Cllr M O Davis, Cllr Edmondston-Low, Cllr N J Heslop, Cllr M R Rhodes, Cllr H S Rogers, Cllr Miss J L Sergison, Cllr C P Smith, Cllr Ms S V Spence and Cllr Miss G E Thomas

Apologies for absence were received from Councillors Mrs M F Heslop and F G Tombolis

PART 1 - PUBLIC

AP1 18/7 DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the Code of Conduct.

AP1 18/8 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 1 Planning Committee held on 22 February 2018 be approved as a correct record and signed by the Chairman; subject to noting that Councillor Sarah Spence had submitted apologies to the meeting which had not been recorded. The website would be amended to reflect this.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

AP1 18/9 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP1 18/10 TM/18/00173/FL - 36 DRY HILL PARK ROAD, TONBRIDGE

Change of use from residential dwelling to caring staff training centre at 36 Dry Hill Park Road, Tonbridge.

RESOLVED: That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health, subject to

(1) Amended Conditions:

3. The use hereby permitted along with any associated activities connected with that use shall not be carried on outside the hours of 0800 to 1800 Mondays to Fridays, with no working on Saturdays, Sundays or Public and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside the normal working hours to nearby residential properties.

4. This consent shall enure only for the benefit of Consultus Care and Nursing Ltd (the applicant) and it shall not enure for the benefit of the land or any other person, persons, organisation or company for the time being having an interest therein.

Reason: To enable the Local Planning Authority to assess the impact of another user of the land in the interests of amenity.

5. The site identified in red on drawing number 18002/SP01 shall be used for a centre for training carers and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking and re-enacting that Order).

Reason: In order to enable the Local Planning Authority to assess the impacts of alternative uses falling within the same use class upon residential amenity and highway safety.

6. The use shall not commence until details comprising a scheme of acoustic protection and noise insulation measures throughout the building (including but not limited to those along the party wall with 36A Dry Hill Park Road) have been submitted to and approved by the Local Planning Authority. The scheme shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233:2014 Guidance on sound insulation and noise reduction for buildings. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

Reason: In the interests of residential amenity.

(1) Additional Conditions:

8. The use of the site hereby approved shall not commence until a Travel Plan covering all staff, training attendees and any other visitors to the site has been submitted to and approved by the Local Planning Authority. Thereafter, the Travel Plan shall be implemented in full and monitored to ensure strict compliance with the approved scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of amenity.

9. The use of the site hereby approved shall not commence until details of a site and operational management plan have been submitted to and approved by the Local Planning Authority. The plan shall specify the arrangements for how the use will operate and how the site (inclusive of the building, terrace and garden) will be managed on a day to day basis. The plan shall set out specific details of measures and procedures to be put in place to ensure the use operates in an acceptable manner and should include (but not limited to) the following:

- Procedures for the processing and management of all visitors to the site;
- Measures and guidelines for use of all external spaces by staff and visitors;
- Procedures for liaising with local residents in the event of any issues arising;
- Procedures for the management of emergency events outside the approved hours of operation.

The plan should also detail how it would interact with the travel plan where applicable.

The use shall thereafter be undertaken in strict accordance with the approved plan.

Reason: In the interests of residential amenity.

10. The windows on the rear elevation of the building at first floor level shall be fitted with obscured glass. This work shall be affected before the use of the building commences and shall be retained at all times thereafter.

Reason: In the interests of residential amenity.

(3) Additional Informative(s):

1. The applicant is reminded of the need to fully comply with the requirements of the Building Regulations in respect of fire safety.

[Speakers: John Barr, Kirsten Barr, Petra Sulka, Lisa Gibbard (represented by Petra Sulka), Ian Gibbard (represented by Steven Johnston), Cheryl Farrar, Mark Farrar, David Mote, Rachel Barr, Steven Johnston and Sam Veitch – members of the public; and Peter Seldon – applicant]

AP1 18/11 ALLEGED UNAUTHORISED DEVELOPMENT 17/00361/WORKM - PEAR TREE FARM, MATTHEWS LANE, HADLOW

The report of the Director of Planning, Housing and Environmental Health advised of an alleged unauthorised construction of a new building within the grounds of Pear Tree Farm.

Attempts to resolve the breach through informal means had been explored and plans had been provided indicating alterations the owner would be prepared to make to resolve the situation. However, the plans still allowed for a building larger than approved under planning reference TM/14/03862/FL. In addition, a different use from the building previously approved was indicated.

Members were advised that formal action was now required for the owner to make the necessary changes to the building so that it met the terms of the otherwise implemented planning permission.

RESOLVED: That an Enforcement Notice BE ISSUED to seek all physical alterations to the unauthorised building to conform to the plans approved under planning reference TM/14/03862/FL.

AP1 18/12 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.15 pm